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1.51 - Affidavit of Service of Summons or Subpoena: Personal or Alternative Methods: Corp. or Ind.: Military Service, 10 pt. type, 1-95

COURT UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

FREELPLAY MUSIC CORP.,

Plaintiff(s)

against

HAAS OUTDOORS, INC.

OUTDOOR CHANNEL, INC.,

Defendant(s)

Index No. 05 CV 7618

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

SEE ATTACHED RIDER

MISSISSIPPI
STATE OF NEW YORK, COUNTY OF CLAY

SS The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at in the state of MISSISSIPPI

That on 9/26/06 at 11:30P M. at 103 EAST BROAD STREET, WEST POINT, MS 39773

deponent served the within summons, return and complaint on HAAS OUTDOORS, INC.

defendant therein named.

SEE ATTACHED RIDER

INDIVIDUAL

1. ☐

CORPORATION

2. ☒

SUITABLE AGE PERSON

3. ☐

AFFIXING TO DOOR, ETC.

4. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

a DOMESTIC corporation, by delivering thereof a true copy of each to THOMAS B. STOREY JR. personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be REGISTERED AGENT thereof.

by delivering thereof a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereof, having called there

MAILING TO
PERFORMANCE
OFF WITH 3 OR 4

5A. ☐

MAILING TO
BUSINESS
OFF WITH 3 OR 4

5B. ☐

DESCRIPTION
USE WITH
1, 2, OR 3

6. ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input checked="" type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'6"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input checked="" type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.

7. ☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE

8. ☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 9th Oct. 2006

Debra Henry

NOTARY PUBLIC State of New York

My Commission Expires: 04/01/2008

Bonded Trust Holders, Brooks & Sanford, Inc.

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

MIKE LOLLAR

License No.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X CASE NO. 06 CV 7618
FREEPLAY MUSIC CORP.,

Plaintiff

- against -

RIDER TO
AFFIDAVIT
OF SERVICE

HAAS OUTDOORS, INC.
OUTDOOR CHANNEL, INC.,

Defendants

-----X

List of Documents served:

1. SUMMONS IN A CIVIL CASE;
2. COMPLAINT;
3. RULE 7.1 STATEMENT;
4. INDIVIDUAL PRACTICES OF JUDGE DENNY CHIN;
5. 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL;
6. GUIDELINES FOR ELECTRONIC CASE FILING; and
7. PROCEDURES FOR ELECTRONIC CASE FILING.